

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION**

COMMON CAUSE INDIANA and  
INDIANA STATE CONFERENCE OF THE  
NAACP,

*Plaintiffs,*

v.

CONNIE LAWSON, in her official capacity as  
Indiana Secretary of State, and PAUL OKESON,  
S. ANTHONY LONG, SUZANNAH WILSON  
OVERHOLT, and ZACHARY E. KLUTZ,  
in their official capacities as members of the  
Indiana Election Commission,

*Defendants.*

Case No. 1:20-cv-2007-SEB-TAB

**DECLARATION OF EDWARD PREIN**

I, Edward Prein, being duly sworn and subject to the penalties for perjury, declare I am over the age of eighteen, have personal knowledge of the following matters, would so testify in open court if called, and am competent to render this testimony.

1. I am 21 years of age and a full-time student at the University of Notre Dame, majoring in Economics and Philosophy. I currently reside at 4430 N. Meridian St., Indianapolis, IN 46208. During the summer of 2020 I served as an unpaid intern for VoteSafe Indiana, a not-for-profit, non-partisan organization.
2. On or about June 16, 2020, I was assigned by that organization to visit the Marion County Election Board Service Center located at 3737 E. Washington St., Indianapolis, to inspect absentee ballots submitted by Marion County voters that had been rejected because they arrived after Indiana's Noon Election Day receipt deadline for mailed absentee ballots.

3. On June 19, 2020, I and two Common Cause Indiana interns, Lucy Newell and Callie Johnson, went to the Service Center to inspect and organize by postmark date the mailed absentee ballots submitted by Marion County voters that had been rejected because they were not received until after noon on the day of the Indiana primary, June 2, 2020.
4. As a result of this review of those rejected absentee ballots I learned that a total of 1,888 absentee ballots in Marion County had been rejected for arriving after noon on June 2. Of that total, 54 ballots had no postmarks. Of the remaining 1,834 rejected ballots, 1,514 (82.55%) bore fully legible postmarks on or before primary election day, June 2, 2020, and 320 (17.45%) bore postmarks after the June 2, 2020 primary election.
5. On or about June 24, 2020, I was assigned by that same organization to visit the Hamilton County Courthouse in Noblesville, Indiana, to inspect absentee ballots submitted by Hamilton County voters that had been rejected because they arrived after Indiana's Noon Election Day receipt deadline for mailed absentee ballots.
6. On June 26, 2020, I and Callie Johnson went to the Hamilton County Courthouse in Noblesville, Indiana, to inspect absentee ballots that had been cast by Hamilton County voters and rejected because they were not received until after noon on the day of the Indiana primary, June 2, 2020.
7. As a result of this review of those rejected absentee ballots I learned that a total of 523 absentee ballots submitted by Hamilton County voters had been rejected for arriving after noon on June 2. Of that total, 51 ballots (9.75%) were not postmarked or had illegible postmarks. Of the remaining 472 rejected ballots with legible postmarks, 435 (92.16%) bore postmarks on or before primary election day, June 2, 2020, and 37 (7.84%) bore postmarks after the June 2, 2020, primary election.
8. On July 1, 2020, I was asked by VoteSafe Indiana to determine the total number of rejected absentee ballots by political party. This included late absentee ballots as well as absentee ballots rejected for any other reason. I determined that of the total number of rejected mail ballots in Marion and Hamilton Counties, almost exactly half (50%) were Democratic Party ballots and the other half (50%) were Republican Party ballots.

I declare under the penalties for perjury that the foregoing representations are true and correct to the best of my knowledge.

August 5, 2020

  
Edward Prein